



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9-10-04 Signature: Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: MIY-P04-006
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gellman et al.

Application No.: 10/774842

Confirmation No.: 1110

Filed: February 9, 2004

Art Unit: 3763

For: DEVICES FOR MINIMALLY INVASIVE
PELVIC SURGERY

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A summary/abstract translation of the non-English language references is enclosed.

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent,

publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P04-006.

Dated: September 10, 2004

Respectfully submitted,

By


Agnes S. Lee

Registration No.: 46,862

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/774842
				Filing Date	February 9, 2004
				First Named Inventor	Barry N. Gellman
				Art Unit	3763
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	MIY-P04-006

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	3,472,232	10-14-1969		
	AB	3,763,860	10-09-1973		
	AC	4,798,193	01-17-1989		
	AD	4,824,435	04-25-1989		
	AE	4,896,668	01-30-1990		
	AF	4,983,168	01-08-1991		
	AG	5,064,435	11-12-1991		
	AH	5,112,344	05-12-1992		
	AI	5,152,749	10-06-1992		
	AJ	5,167,634	12-01-1992		
	AK	5,234,457	08-10-1993		
	AL	5,250,033	10-05-1993		
	AM	5,334,185	08-02-1994		
	AN	5,337,736	08-16-1994		
	AO	5,354,292	10-11-1994		
	AP	5,368,595	11-29-1994		
	AQ	5,409,469	04-25-1995		
	AR	5,417,226	05-23-1995		
	AS	5,562,717	10-08-1996		
	AT	5,611,515	03-18-1997		
	AU	5,647,857	07-15-1997		
	AV	5,935,122	08-10-1999		

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	DE 4334419	04-13-1995			✓
	BB	EP 0417189	12-14-1989			
	BC	EP 0506920	04-30-1992			
	BD	EP 0628288	12-14-1994			
	BE	EP 0831751	12-19-1996			
	BF	EP 1321111	06-25-2003			
	BG	WO96/01597	01-25-1996			
	BH	WO96/34587	11-07-1996			
	BI	WO96/39227	12-12-1996			

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/774842
				Filing Date	February 9, 2004
				First Named Inventor	Barry N. Gellman
				Art Unit	3763
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	MIY-P04-006

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ²	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Papa Petros, P.E. and Ulmsten, Ulf I., "An Integral Theory and its Method For the Diagnosis and Management of Female Urinary Incontinence", Scandinavian Journal of Urology and Nephrology Supplement No. 153, pp. 1 - 93 (1993)	
	CB	Norris et al., "Use of Synthetic Material in Sling Surgery: A Minimally Invasive Approach", Journal of Endourology, Vol. 10, No. 3, pp. 227 - 230 (1996)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--